

FEDERAL ELECTION COMMISSION

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BEFORE THE FEDERAL ELECTION COMMISSION

CELA

In the Matter of)
) RAD REFERRAL 16L-20 and MUR
Kyle McCarter for Congress Committee) 7007
and Kelly Standfield in her official)
capacity as treasurer; Citizens for Kyle)
McCarter; Rural King Distribution &)
Management, Inc.; Rural King)
Distributing; Total Grain Marketing,)
LLC; Burgdorf and Associates Wealth)
Managers, Inc.; Tri Ford, Inc.; James W.)
Best; Darren Bailey)

CERTIFICATION

I, Laura E. Sinram, recording secretary of the Federal Election Commission executive session, do hereby certify that on November 07, 2017, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 2-3 to:

- a. Open a MUR in RAD Referral RR 16L-20.
- b. Merge the new MUR with MUR 7007.
- c. Find reason to believe that Kyle McCarter for Congress Committee and Kelly Standfield in her official capacity as treasurer violated 52 U.S.C. §§ 30116(f) and 30118(a).
- d. Find reason to believe that James W. Best violated 52 U.S.C. § 30116(a).
- e. Find reason to believe that Darren Bailey violated 52 U.S.C. § 30116(a).
- f. Dismiss the allegation that Tri Ford, Inc. violated 52 U.S.C. § 30118(a).

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- g. Find no reason to believe that Burgdorf and Associates Wealth Managers, Inc. or Rural King Distributing violated 52 U.S.C. § 30118(a).
 - h. Find no reason to believe that Kyle McCarter for Congress Committee and Kelly Standfield in her official capacity as treasurer violated 52 U.S.C. § 30118(a) in connection with contributions from Burgdorf and Associates Wealth Managers, Inc. and Rural King Distributing.
 - i. Find no reason to believe that Total Grain Marketing, LLC violated 52 U.S.C. §§ 30116(a) and 30118(a).
 - j. Find no reason to believe that Rural King Distribution & Management, Inc. violated 52 U.S.C. § 30118(a).
 - k. Find no reason to believe that Kyle McCarter for Congress Committee and Kelly Standfield in her official capacity as treasurer or Citizens for Kyle McCarter violated 52 U.S.C. § 30125(e) and 11 C.F.R. § 110.3(d).
 - l. Approve the Factual and Legal Analyses, as recommended in the First General Counsel's Report dated June 20, 2017.
 - m. Enter into conciliation with Kyle McCarter for Congress Committee and Kelly Standfield in her official capacity as treasurer prior to a finding of probable cause to believe and approve the Conciliation Agreement, as recommended in the First General Counsel's Report dated June 20, 2017.
 - n. Enter into conciliation with James W. Best prior to a finding of probable cause to believe and approve the Conciliation Agreement, as recommended in the First General Counsel's Report dated June 20, 2017.
 - o. Enter into conciliation with Darren Bailey prior to a finding of probable cause to believe and approve the Conciliation Agreement, as recommended in the First General Counsel's Report dated June 20, 2017.
 - p. Approve the appropriate letters.

Commissioners Walther and Weintraub voted affirmatively for the motion.

Commissioners Goodman, Hunter, and Petersen dissented.

2. ~~Decided by a vote of 5-0 to:~~

MUR # 7296

a. ~~Open a MUR in RAD Referral RR 16L-20.~~

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- b. Merge the new MUR with MUR 7007.
 - c. Find reason to believe that Kyle McCarter for Congress Committee and Kelly Standfield in her official capacity as treasurer violated 52 U.S.C. §§ 30116(f) and 30118(a).
 - d. Find reason to believe that James W. Best violated 52 U.S.C. § 30116(a).
 - e. Dismiss the allegation that Tri Ford, Inc. violated 52 U.S.C. § 30118(a).
 - f. Find no reason to believe that Burgdorf and Associates Wealth Managers, Inc. or Rural King Distributing violated 52 U.S.C. § 30118(a).
 - g. Find no reason to believe that Kyle McCarter for Congress Committee and Kelly Standfield in her official capacity as treasurer violated 52 U.S.C. § 30118(a) in connection with contributions from Burgdorf and Associates Wealth Managers, Inc. and Rural King Distributing.
 - h. Find no reason to believe that Total Grain Marketing, LLC violated 52 U.S.C. §§ 30116(a) and 30118(a).
 - i. Find no reason to believe that Rural King Distribution & Management, Inc. violated 52 U.S.C. § 30118(a).
 - j. Find no reason to believe that Kyle McCarter for Congress Committee and Kelly Standfield in her official capacity as treasurer or Citizens for Kyle McCarter violated 52 U.S.C. § 30125(e) and 11 C.F.R. § 110.3(d).
 - k. Approve the appropriate portions of the Factual and Legal Analyses, as recommended in the First General Counsel's Report dated June 20, 2017, that apply to everyone except for Darren Bailey.
 - l. Enter into conciliation with Kyle McCarter for Congress Committee and Kelly Standfield in her official capacity as treasurer prior to a finding of probable cause to believe and approve the Conciliation Agreement, as recommended in the First General Counsel's Report dated June 20, 2017.
 - m. Enter into conciliation with James W. Best prior to a finding of probable cause to believe and approve the Conciliation Agreement, as recommended in the First General Counsel's Report dated June 20, 2017,
 - n. Approve the appropriate letters.

Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

3. Decided by a vote of 4-1 to:

Pursuant to *Heckler v. Chaney*, dismiss the allegations that relate to Darren Bailey.

Commissioners Goodman, Hunter, Petersen, and Walther voted affirmatively for the decision. Commissioner Weintraub dissented.

4. Decided by a vote of 5-0 to:

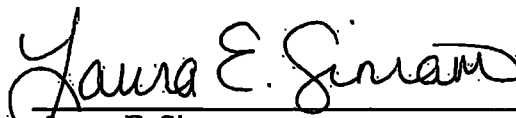
Close the file and send the appropriate letters as to Darren Bailey only.

Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

11/9/17

Date



Laura E. Sinram

Deputy Secretary of the Commission